



3701 Fairview Ave. Lake Station, IN 46405
Phone: (219) 962-3111 Fax: (219) 963-9275

APPLICATION FOR ITINERANT PEDDLERS LICENSE
PER SECTION 4-18 OF LAKE STATION CITY CODE BOOK

_____ DATE

This application, in triplicate, must be on file with the Clerk-Treasurer no less than fourteen (14) days prior to issuance of any license. The amount to be paid for a license, under Ord. 70-22, City Code Section 4-18 (1985), shall be \$5.00 per day, \$20, per week, \$50.00 per month, \$150.00 per year.

The following information shall be answered in full for issuance of a license to be considered. Attached is a copy of the section from the City of Lake Station Code book with the necessary information needed when completing this form. PLEASE READ THIS SECTION CAREFULLY!!

1. Name & description of applicant _____

HT. _____ WT. _____ COLOR OF EYES _____ COLOR OF HAIR _____

DATE OF BIRTH _____ SOCIAL SECURITY NUMBER _____

2. Permanent home address and full local address of applicant.

HOME _____

LOCAL _____

3. Brief description of the nature of the business and the goods to be sold.

4. If employed, the name and address of the employer, together with credentials establishing the exact relationship.

5. The length of time for which the right to do business is desired,

DAY _____ WEEK _____ MONTH _____ YEAR _____

6. The manufacturer or producer of the goods or products proposed to be sold, the address of the principal place of business, and point of manufacture or production of goods or products and the proposed method of delivery.

7. Two (2) photographs of the applicant, taken within sixty (60) days immediately prior to the date of the filing of the application, which pictures shall be 2"X 2", showing the head and shoulders of the applicant in a clear and distinguishing manner.

8. A full set of fingerprints of the applicant shall be applied to the application under the direction of the Chief of Police or designee thereof.

9. A statement as to whether or not the applicant has been convicted of any crime, misdemeanor or violation of any municipal ordinance, the nature of the offense and the punishment or penalty assessed therefore. Have you ever been convicted of any crime, misdemeanor or violation of any municipal ordinance? YES NO. If yes, give a full account of the nature of the offense and the punishment or penalty assessed therefore.

Any itinerant vendor, hawker, peddler, solicitor or canvasser, shall display the license with a photograph as hereinabove specified affixed thereto, when requested to do so by an person when offering to sell any goods, wares, or merchandise, or to any police officer of this City, when so requested.

All annual licenses issued under the provisions of this ordinance shall expire on December 31 of the year when issued. Other than annual, licenses shall expire on the date specified in the license.

Licenses issued may be revoked by the Common Council after notice and hearing as stated in the City Code Book, section 4-18, section 1.

The time during which itinerant vendors, hawkers, peddlers, solicitors and canvassers may engage in business within the City shall be limited to the hours of 9:00 a.m. through 5:00 p.m. during the days of Sunday through Saturday, inclusive, from October 31, to April 30, inclusive, and to the hours of 9:00 a.m. through 9:00 p.m. during the days Sunday through Saturday inclusive, from May 1 to November 1, inclusive.

Penalty: any person convicted of violating any of the provisions of this section shall be fined in the sum of not less than twenty-five dollars (\$25.00) nor more than three hundred dollars (\$300.00) for each violation thereof. Each separate act of attempted or accomplished vending, hawking, peddling, soliciting or canvassing without a license shall constitute a separate offence.

No license shall be issued for less than one (1) day, nor for longer than one (1) year.

Sec. 4-18 Itinerant Merchants, Hawkers, and Peddlers Licenses.⁶

(a) Definitions.

As defined in this Section, the words "Itinerant Vendors", "Hawkers", "Peddlers", "Solicitors" and "Canvassers", shall include any transient person who shall engage temporarily in the making or selling of any goods, wares or merchandise of any kind whatsoever, including the sale, or soliciting for sale of photographs and magazine subscriptions within the City regardless of whether such goods, wares or merchandise are peddled from house to house, sold or hawked upon the streets or other public places, or sold from any room, building, structure or lot rented or leased for the purpose of carrying on such business, for present or future delivery, by telephone or otherwise.

(b) License Required.

It shall be unlawful for any itinerant vendor, hawker, peddler, solicitor or canvasser of goods, wares or merchandise, to offer the same for sale within the City without having first obtained a license in compliance with the provisions of this Section. This Section shall not apply to sales made to dealers by commercial travelers or selling agents in the usual course of business, or to sales made by Sheriffs, constables, administrators, guardians, receivers or other properly elected and qualified officers, or to sales made by producers of farm or dairy products where such produce was raised or produced on the premises of the seller, or to the sale of newspapers by one who has a regular and established route for sale of the same, or to unpaid agents or members of a nonprofit organization engaged in such activities for the purpose of raising money to be used solely for charitable, community service, nonprofit recreational or religious purposes, consistent with the organization's charter or organizational purposes.

(c) Term of License.

No license shall be issued for less than one (1) day, nor for longer than one (1) year.

(d) Fee.

The amount to be paid for a license shall be Five (\$5.00) Dollars per day, Twenty (\$20.00) Dollars per week, Fifty (\$50.00) Dollars per month, and One Hundred Fifty (\$150.00) Dollars per year.

⁶I.C., 36-8-2-11 addresses the public soliciation of sales and I.C., 25-37-1-1 et seq. is the transient merchant laws of the State of Indiana.

(e) Clerk-Treasurer to Issue.

The Clerk-Treasurer shall issue all licenses granted to itinerant vendors, hawkers, peddlers, solicitors and canvassers and each license shall be properly signed by the Clerk-Treasurer, upon the Clerk-Treasurer having received from the applicant the proper sum for such license and upon compliance with all other provisions of this Section.

(f) Application.

Not less than fourteen (14) days prior to the issuance of any license by the Clerk-Treasurer, an applicant for a license, as a condition precedent to the issuance of such license, shall file with the Clerk-Treasurer a sworn application, in writing and in triplicate, on forms to be furnished by the Clerk-Treasurer, which shall give the following information:

- (1) Name and description of the applicant.
- (2) Permanent home address and full local address of the applicant.
- (3) A brief description of the nature of the business and the goods to be sold.
- (4) If employed, the name and the address of the employer, together with credentials establishing the exact relationship.
- (5) The length of time for which the right to do business is desired.
- (6) The manufacturer or producer of the goods or products proposed to be sold, the address of the principal place of business, and point of manufacture or production of such goods or products and the proposed method of delivery.
- (7) Two (2) photographs of the applicant, taken within sixty (60) days immediately prior to the date of the filing of the application, which pictures shall be 2" x 2", showing the head and shoulders of the applicant in a clear and distinguishing manner.
- (8) A full set of fingerprints of the applicant shall be applied to the application under the direction of the Chief of Police or designee thereof.
- (9) A statement as to whether or not the applicant has been convicted of any crime, misdemeanor or violation of any municipal ordinance, the nature of the offense and the punishment or penalty assessed therefor.

(g) Display of License.

Any itinerant vendor, hawker, peddler, solicitor or canvasser shall display the license with a photograph as hereinabove specified affixed thereto, when requested to do so by any person when offering to sell any goods, wares, or merchandise, or to any police officer of this City when so requested.

(h) Expiration Date.

All annual licenses issued under the provisions of this ordinance shall expire on December 31 of the year when issued. Other than annual licenses

shall expire on the date specified in the license. (Ord. No. 70-22, §8, 11-19-70)

(i) Revocation.

Licenses issued may be revoked by the Common Council after notice and hearing, for any of the following causes:

(1) Fraud, misrepresentation or false statement contained in the application.

(2) Fraud, misrepresentation or false statement made in the course of carrying on his business as itinerant vendor, hawker, peddler, solicitor or canvasser.

(3) Any violation of this Section.

(4) Conviction of any crime or misdemeanor involving moral turpitude.

(5) Conducting the business of itinerant vending, hawking, peddling, soliciting or canvassing, in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the public.

Notice of the hearing for revocation of a license shall be given in writing, setting forth specifically the grounds of complaint and the time and place of hearing. Such notice shall be mailed, postage prepaid, to the licensee at his last known address at least five (5) days prior to the date set for hearing.

The Common Council may revoke or suspend any license if it finds, after proper notice and hearing, that the person has willfully violated a term or condition of his license, or has willfully done or permitted to be done an act in violation of a statute or provision of this Code.

The Common Council shall file a copy of its findings and determination with the Clerk-Treasurer within twenty-four (24) hours after they are made.

(j) Time of Business.

The time during which itinerant vendors, hawkers, peddlers, solicitors and canvassers may engage in business within the City shall be limited to the hours of 9:00 a.m. through 5:00 p.m. during the days Sunday through Saturday, inclusive, from October 31 to April 30, inclusive, and to the hours of 9:00 a.m. through 9:00 p.m. during the days Sunday through Saturday, inclusive, from May 1 to November 1, inclusive. (Ord. No. 71-13, 5-7-71)

(k) Penalty.

Any person convicted of violating any of the provisions of this Section shall be fined in the sum of not less than twenty-five dollars (\$25.00) nor

more than Three Hundred (\$300.00) Dollars for each violation thereof. Each separate act of attempted or accomplished vending, hawking, peddling, soliciting or canvassing without a license shall constitute a separate offense. (Ord. No. 70-22, §11, 11-19-70)